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15
16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

19 BINYAM MOHAMED; ABOU ELKASSIM
20 BRITEL; AND AHMED AGIZA,

21 Plaintiffs,

22 vs.

23 JEPPESEN DATAPLAN, INC.,

24 Defendant.

CASE NO. C 07-2798 RS

**STIPULATION UNDER LOCAL RULE
6-1(a) EXTENDING THE TIME TO
RESPOND TO THE COMPLAINT**

[NO ACTION REQUIRED]

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1 WHEREAS on May 30, 2007, Plaintiffs Binyam Mohamed, Abou Elkassim Britel, and
2 Ahmed Agiza ("Plaintiffs") filed the Complaint in this action;

3 WHEREAS, pursuant to Fed. R. Civ. P. 12(a)(1)(A) and Fed. R. Civ. P. 6(a), the response
4 of Defendant Jeppesen DataPlan, Inc. ("Defendant") to the Complaint is currently due to be filed
5 and served on Monday, July 2, 2007;

6 WHEREAS, on Monday, June 25, 2007, counsel for Plaintiffs informed counsel for
7 Defendant that Plaintiffs intend to amend the Complaint pursuant to Fed. R. Civ. P. 15(a) and to
8 file and serve their amended complaint on or before Wednesday, July 25, 2007;

9 WHEREAS, pursuant to Fed. R. Civ. P. 15(a) and Fed. R. Civ. P. 6(a), (e), Defendant's
10 response to an amended complaint served on July 25, 2007 would ordinarily be due on Monday,
11 August 13, 2007;

12 WHEREAS, in light of the forthcoming amended complaint, it would serve no practical
13 purpose to require Defendant to answer the current Complaint;

14 WHEREAS Local Rule 6-1(a) provides that the "[p]arties may stipulate in writing,
15 without a Court order, to extend the time within which to answer or otherwise respond to the
16 complaint, ... provided the change will not alter the date of any event or any deadline already
17 fixed by Court order";

18 WHEREAS the parties reserve the right to present a further stipulation to the Court, for its
19 approval under Local R. 6-1(b), more fully establishing the schedule for a possible motion under
20 Fed. R. Civ. P. 12 in response to the forthcoming amended complaint (which stipulation and
21 proposed order may include a further extension of the due date for responding to the forthcoming
22 amended complaint);

23 NOW THEREFORE, Plaintiffs and Defendant, through their undersigned counsel, hereby
24 stipulate, pursuant to Local Rule 6-1(a), that the time within which Defendant shall respond to
25 the Complaint shall be extended to and until Monday, August 13, 2007.

1 DATED: June 26, 2007

MUNGER, TOLLES & OLSON LLP

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3 By: 

Daniel P. Collins

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5 Attorneys for Defendant
JEPPESEN DATAPLAN, INC.

6 DATED: June 26, 2007

7 AMERICAN CIVIL LIBERTIES
8 UNION FOUNDATION

9 By: 

10 Steven M. Watt

11 Attorneys for Plaintiffs
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